APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/454,755	12/06/1999	SACHIKO NISHIURA	4432-19	4202

7590   02/10/2004

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EXAMINER
YANG, RYAN R

ART UNIT	PAPER NUMBER
2672	17

DATE MAILED: 02/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/454,755	NISHIURA, SACHIKO
	Examiner	**Art Unit**	
	Ryan R Yang	2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *11/4/03* .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1,2,4-11,13-20 and 22-33* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1,2,4-11,13-20 and 22-33* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on <u>06 December 1999</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

Continued Prosecution Application

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/4/03 has been entered.

2.   This action is responsive to communications: Amendment, filed on 11/4/2003. This action is non-final.

3.   Claims 1-2, 4-11, 13-20 and 22-33 are pending in this application. Claims 1, 10, 19 and 28-33 are independent claims. In the Amendment, filed on 11/4/2003, claims 1, 10, and 19 were amended, and claims 28-33 were added.

This application claims foreign priority dated 12/9/1998.

4.   The present title of the invention is "Apparatus and Method for Converting an Object Display Description Document" as filed originally.

Claim Rejections - 35 USC § 102

5.   The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6.   Claims 1-2, 6-11, 15-18 and 28-30 are rejected under 35 U.S.C. 102(e) as being

anticipated by Vyncke et al. (5,926,185).

As per claim 10, Vyncke et al., hereinafter Vyncke, discloses a method for

converting an original set of source objects by reducing the number of objects required

to display a description document, said method comprising a generating means for

generating a set of new objects, from said original set of source objects in the

document, a number of new objects in said set of new objects being fewer than a

number of objects in said original set of source objects, said fewer objects obtaining a

display image equivalent to the display of an image obtained from said original set of

source objects ("Objects with multiple attributes like a fill and a stroke are represented

as one object in most graphics art editors, but during PostScript export they get broken

into multiple objects, one for the fill and one for the stroke. By merging the two objects

together to create a single object with multiple attributes, the file is optimized", column 5,

line 22-27).

Wherein said generating step generates said new objects from a transparent or

translucent source object and other source objects located at a layer lower than a layer

including said transparent or translucent source object and spatially overlapping said

transparent or translucent source object ("the objects in the sequence must be all

opaque (solid) or all transparent", column 9, line 42-43),

wherein said generating step generates a new merged object including at least a

first source object having an area and a second object having an area and

superimposed on said first source object ("By merging the two objects together to create

a single object with multiple attributes, the file is optimized", column 5, line 25-27;
certain objects hide other objects ... Fig. 8a shows an example of a rectangle 206 which
completely covers a square 208 ..." (column 8, line 27-57), thus, the objects can have
area).

7.   As per claim 11, Vyncke demonstrated all the elements as applied in the
rejection of independent claim 10, supra, and further discloses said generating step
deletes source objects hidden spatially behind another source object which is not
transparent nor translucent ("To merge the two objects, the stroke is transferred to the
back object and the top object is deleted", column 5, line 39-41).

8.   As per claim 15, Vyncke demonstrated all the elements as applied in the
rejection of independent claim 10, supra, and further discloses a step of storing said set
of new objects to a storage medium (Figure 1 104).

9.   As per claim 16, Vyncke demonstrated all the elements as applied in the
rejection of independent claim 10, supra, and further discloses a step of selectively
storing said set of source objects or said set of new objects to a storage medium (Figure
1 100).

10.   As per claim 17, Vyncke demonstrated all the elements as applied in the
rejection of independent claim 10, supra, and further discloses a step of displaying said
set of new objects ("the output device may be a display screen", column 1, line 35).

11.   As per claim 18, Vyncke demonstrated all the elements as applied in the
rejection of independent claim 10, supra, and further discloses a means for selectively
displaying said set of source objects or said set of new objects, wherein said apparatus
is used as a browser (Figure 7B is a browsing process).

12.   As per independent claim 1, since it is directed to an apparatus for performing

the method of independent claim 10, and therefore is similarly rejected as independent

claim 10.

Regarding the "means plus function" language, the means refer to the software

methods executed on generically disclosed hardware explicitly disclosed by <u>Vyncke</u>. It

is further noted that both software and hardware means are functionally equivalent.

13.   As per claim 2, Vyncke demonstrated all the elements as applied in the rejection

of independent claim 1, supra, and further discloses said generating means deletes

source objects hidden spatially behind another source object which is not transparent

nor translucent ("To merge the two objects, the stroke is transferred to the back object

and the top object is deleted", column 5, line 39-41).

14.   As per claim 6, Vyncke demonstrated all the elements as applied in the rejection

of independent claim 1, supra, and further discloses a means for storing said set of new

objects to a storage medium (Figure 1 104).

15.   As per claim 7, Vyncke demonstrated all the elements as applied in the rejection

of independent claim 1, supra, and further discloses a means for selectively storing said

set of source objects or said set of new objects to a storage medium (Figure 1 100).

16.   As per claim 8, Vyncke demonstrated all the elements as applied in the rejection

of independent claim 1, supra, and further discloses a means for displaying said set of

new objects, wherein said apparatus is used as a browser ("the output device may be a

display screen", column 1, line 35, and Figure 7B is a browsing process).

17.   As per claim 9, Vyncke demonstrated all the elements as applied in the rejection

of independent claim 1, supra, and further discloses a means for selectively displaying

said set of source objects or said set of new objects, wherein said apparatus is used as

a browser (Figure 7B is a browsing process).

18.   As per claim 28, Vyncke discloses an apparatus for converting an original set of

source objects by reducing the number of objects required to display a description

document, said apparatus comprising a generating means for generating a set of new

objects, from said original set of source objects in the document, a number of new

objects in said set of new objects being fewer than a number of objects in said original

set of source objects, said fewer objects obtaining a display image equivalent to the

display of an image obtained from said original set of source objects ("Objects with

multiple attributes like a fill and a stroke are represented as one object in most graphics

art editors, but during PostScript export they get broken into multiple objects, one for the

fill and one for the stroke. By merging the two objects together to create a single object

with multiple attributes, the file is optimized", column 5, line 22-27).

Wherein said generating means generates said new objects from a transparent

or translucent source object and other source objects not transparent nor translucent

and located at a layer lower than a layer including said transparent or translucent

source object and spatially overlapping said transparent or translucent source object

("other values may be used without deviating from the scope of the invention ... the

objects in the sequence must be all opaque (solid) or all transparent", column 9, line 40-

43),

wherein said generating means generates a new merged object including at least

a first source object and a second object superimposed on said first source object ("By

merging the two objects together to create a single object with multiple attributes, the

file is optimized", column 5, line 25-27; certain objects hide other objects ... Fig. 8a

shows an example of a rectangle 206 which completely covers a square 208 ..."

(column 8, line 27-57), thus, the objects can have area).

19.   As per claim 29, Vyncke discloses an apparatus for converting an original set of

source objects by reducing the number of objects required to display a description

document, said apparatus comprising a generating means for generating a set of new

objects, from said original set of source objects in the document, a number of new

objects in said set of new objects being fewer than a number of objects in said original

set of source objects, said fewer objects obtaining a display image equivalent to the

display of an image obtained from said original set of source objects ("Objects with

multiple attributes like a fill and a stroke are represented as one object in most graphics

art editors, but during PostScript export they get broken into multiple objects, one for the

fill and one for the stroke. By merging the two objects together to create a single object

with multiple attributes, the file is optimized", column 5, line 22-27).

Wherein said generating means generates said new objects from a transparent

or translucent source object and other source objects not transparent nor translucent

and located at a layer lower than a layer including said transparent or translucent

source object and spatially overlapping said transparent or translucent source object

("other values may be used without deviating from the scope of the invention ... the

objects in the sequence must be all opaque (solid) or all transparent", column 9, line 40-43),

wherein said generating means generates a new merged object including at least a first source object and a second object superimposed on said first source object ("By merging the two objects together to create a single object with multiple attributes, the file is optimized", column 5, line 25-27; certain objects hide other objects ... Fig. 8a shows an example of a rectangle 206 which completely covers a square 208 ..." (column 8, line 27-57), thus, the objects can have area).

20.   As per claim 30, Vyncke discloses a computer program for causing a computer to execute a method for converting an object display description document by reducing the number of objects required for the display, said method comprising a generating step of generating, from an original set of source objects in the document, a set of new objects which are fewer than a number of said objects forming said original set of source objects, in order to obtain a display image equivalent to the display image obtained from said original set of source objects ("Objects with multiple attributes like a fill and a stroke are represented as one object in most graphics art editors, but during PostScript export they get broken into multiple objects, one for the fill and one for the stroke. By merging the two objects together to create a single object with multiple attributes, the file is optimized", column 5, line 22-27).

herein said generation means generates new objects from a transparent or translucent source object and other source objects not transparent nor translucent and located at a layer lower than a layer including said transparent or translucent source

object and spatially overlapping said transparent or translucent source object 1 ("other

values may be used without deviating from the scope of the invention ... the objects in

the sequence must be all opaque (solid) or all transparent", column 9, line 40-43),

wherein said generating means generates a new merged object including at least

a first source object and a second object superimposed on said first source object ("By

merging the two objects together to create a single object with multiple attributes, the

file is optimized", column 5, line 25-27).

Claim Rejections - 35 USC § 103

21.   Claims 19-20, 24-27 and 31-33 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Vyncke et al.

22.   As per claims 19-20 and 24-27, these are directed to computer program

performing the method of claims 10-11 and 15-18, respectively. Although Vyncke is

silent to the limitation of a "computer program" performing the method of claims 10-11

and 15-18, however, since Vyncke's disclosure is useful in computer graphics

processing, it is obvious that his method can be executed in the form of computer

program in order to process graphical objects in a computer system. Thus, it would

have been obvious to one of ordinary skill in the art at the time the invention was made

to incorporate the teaching of Vyncke and make them into software program to run the

process and, therefore, are similarly rejected as claims 10-11 and 15-18, respectively.

23.   As per claims 32, Vyncke discloses a method for converting an original set of

source objects by reducing the number of objects required to display a description

document, said apparatus comprising a generating means for generating a set of new

objects, from said original set of source objects in the document, a number of new

objects in said set of new objects being fewer than a number of objects in said original

set of source objects, said fewer objects obtaining a display image equivalent to the

display of an image obtained from said original set of source objects ("Objects with

multiple attributes like a fill and a stroke are represented as one object in most graphics

art editors, but during PostScript export they get broken into multiple objects, one for the

fill and one for the stroke. By merging the two objects together to create a single object

with multiple attributes, the file is optimized", column 5, line 22-27).

As for since MHEG-5, DHTML and SMIL contain video and text, as well as audio,

information and since the claim limitation is limited to video and text image, it would

have been obvious to one of ordinary skill in the art to extent the method to MHEG-5,

DHTML or SMIL in order to reduce the amount of data to be transmitted.

24.   As per claim 31, this is directed to an apparatus for performing the method of

independent claim 32. It is noted that both software and hardware means are

functionally equivalent and, therefore, is similarly rejected as claim 32.

25.   As per claim 33, this is directed to a software program for performing the method

of independent claim 32. Although Vyncke is silent to the limitation of a "computer

program" performing the method of claim 32, however, since Vyncke's disclosure is

useful in computer graphics processing, it is obvious that his method can be executed in

the form of computer program in order to process graphical objects in a computer

system, thus, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to make the teaching of Vyncke into software program in order

to run the process and, therefore, is similarly rejected as claim 32.

26.   Claims 4, 13 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Vyncke et al. as applied to claim 1 above, and further in view of Cannon

(5,559,950)

As per claim 13, Vyncke demonstrated all the elements as applied to the

rejection of independent claim 10, supra.

Vyncke discloses a method of optimizing graphical objects. It is noted that

Vyncke does not explicitly disclose "generation of said new object from said transparent

or translucent source object and said other source objects is performed for a time range

in which said transparent or translucent source object spatially overlaps said other

source objects", however, this is known in the art as taught by Cannon. Cannon

discloses an animated display system in which for a time range the transparent or

translucent source object spatially overlaps the background object (Figure 5).

Thus, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to incorporate the teaching of Cannon into Vyncke because Vyncke

discloses a method of optimizing graphical objects and Cannon discloses a system to

spatially overlap transparent animated objects to other objects in order to increase the

animation speed.

27.   As per claim 4, Vyncke demonstrated all the elements as applied to the rejection

of independent claim 1, supra.

Vyncke discloses a generating means for optimizing graphical objects. It is noted that Vyncke does not explicitly disclose "generation of said new object from said transparent or translucent source object and said other source objects is performed for a time range in which said transparent or translucent source object spatially overlaps said other source objects", however, this is known in the art as taught by Cannon. Cannon discloses an animated display system in which for a time range the transparent or translucent source object spatially overlaps the background object (Figure 5).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Cannon into Vyncke because Vyncke discloses a generating means for of optimizing graphical objects and Cannon discloses a system to spatially overlap transparent animated objects to other objects in order to increase the animation speed.

Regarding the "means plus function" language, the means refer to the software methods executed on generically disclosed hardware explicitly disclosed by Vyncke. It is further noted that both software and hardware means are functionally equivalent.

28.   As per claim 22, these are directed to computer program performing the method of claim 13. Since Vyncke's disclosure is useful in computer graphics processing, it is obvious that his method can be executed in the form of computer program in order to process graphical objects. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Vyncke and make them into software program to run the process and, therefore, is similarly rejected as claim 13.

29.   Claims 5, 14 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Vyncke et al. as applied to claim 1 above, and further in view of Capps et al.

(5,583,542).

As per claim 14, Vyncke demonstrated all the elements as applied to the

rejection of independent claim 10, supra.

Vyncke discloses a method of optimizing graphical objects. It is noted that

Vyncke does not explicitly disclose "generating means deletes a source object when a

display time for said source object is out of a display time range for said set of source

objects", however, this is known in the art as taught by Capps et al., hereinafter Capps.

Capps discloses an object deleting method in which "the object O could be deleted after

the animation sequence", column 17, line 26.

Thus, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to incorporate the teaching of Capps into Vyncke because Vyncke

discloses a method of optimizing graphical objects and Capps discloses the displayed

objects can be deleted after certain time range in order to simplify the process.

30.   As per claim 5, Vyncke demonstrated all the elements as applied to the rejection

of independent claim 1, supra.

Vyncke discloses a generating means for optimizing graphical objects. It is noted

that Vyncke does not explicitly disclose "generating means deletes a source object

when a display time for said source object is out of a display time range for said set of

source objects", however, this is known in the art as taught by Capps et al., hereinafter

Capps. Capps discloses an object deleting method in which "the object O could be

deleted after the animation sequence", column 17, line 26.

Thus, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to incorporate the teaching of Capps into Vyncke because Vyncke

discloses a generating means for optimizing graphical objects and Capps discloses the

displayed objects can be deleted after certain time range in order to simplify the

process.

31.   As per claim 23, As per claim 22, these are directed to computer program

performing the method of claim 14. Since Vyncke and Cannon's disclosure are useful in

computer graphics processing, it is obvious that his method can be executed in the form

of computer program in order to process graphical objects. Thus, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to

incorporate the teaching of Vyncke and Cannon, and make them into software program

in order to run the process and, therefore, is similarly rejected as claim 13.

Response to Arguments

32.   Applicant's arguments filed 11/4/2003 have been fully considered but they are

not persuasive.

As per claims 1, 10 and 19, applicant alleges that Vyncke et al. do not disclose

both objects have area. In reply, examiner notes Fig. 8a shows an example of a

rectangle 206 which completely covers a square 208 ..." (column 8, line 27-57), thus,

the objects can have area).

As per claims 28-30, applicant alleges that Vyncke only disclose the objects used must all be opaque or all transparent. In reply, examiner notes "other values may be used without deviating from the scope of the invention" (column 9, line 40-41). The statement "objects in the sequence must be all opaque (solid) or all transparent" is for a preferred embodiment; it is not a necessary condition.

Conclusion

33.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Ryan Yang** whose telephone number is *(703) 308-6133.*

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Michael Razavi**, can be reached at **(703) 305-4713**.

Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
Washington, D.C. 20231
or faxed to:
(703) 872-9314 (for Technology Center 2600 only)
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 305-47000377.

Ryan Yang
January 25, 2004   MICHAEL RAZAVI
                                                       SUPERVISORY PATENT EXAMINER
                                                       TECHNOLOGY CENTER 2600